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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/808,008	
	Filing Date	03/24/2004	
	First Named Inventor	Roger Cady	
	Group Art Unit	1653	
	Examiner Name	Kam, Chih Min	
Total Number of Pages in This Submission	5	Attorney Docket No.	57294-021

ENCLOSURES (check all that apply)

<input type="checkbox"/> Charge Deposit Account -08-3460 <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b))	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Request To Rescind Previous Nonpublication Request <input type="checkbox"/> Response to Notice of Allowability <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: <input checked="" type="checkbox"/> Commissioner is hereby authorized to charge fees in this application and any fees which may be required, or any overpayment, to Deposit Account 08-3460. I have enclosed a duplicate copy of this sheet <input type="checkbox"/> Amount: \$		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	H. Frederick Rusche
Signature	
Date	December 3, 2004

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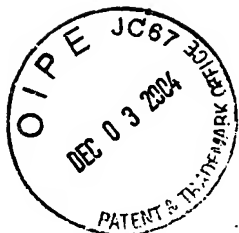
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Cady, Roger	Group No.: 1653
Serial No.: 10/808,008	Atty. Docket No.: 57294-021
Filed: 03/24/2004	
For: Method and Article for Treatment of Sensory Neuron Related Disorders through the Application of Botulinum Toxin	Examiner: KAM, Chih Min

MAIL STOP Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

HONORABLE SIR:

Responsive to the official communication of November 3, 2004, Applicant submits the following Election.

It is not believed that extensions of time are required beyond those, which may otherwise be provided for in documents accompanying this Amendment. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account 08-3460.

ELECTION

The Examiner has concluded that the application has two (2) distinct inventions. The Examiner has identified Invention I as a method of treating a sensory neuron related disorder, comprising transdermally applying botulinum toxin type A, represented by Claims 1-9 and 14-16. The Examiner has identified Invention II as an article or topical solution for treatment of a sensory neuron related disorder, comprising botulinum toxin type A. In accordance with 35

U.S.C. §1.121, the Examiner has required applicant to elect one invention subject to the restriction requirement. Applicant hereby provisionally elects Examiner designated Invention I (claims 1-9 and 14-16) with traverse.